

Message Text

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ACTION SCA-01

INFO OCT-01 ARA-14 ISO-00 VO-03 PPT-01 INSE-00 PER-05

H-02 /027 W

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FM AMCONSUL GUAYAQUIL

TO SECSTATE WASHDC 5537

INFO AMEMBASSY MONTEVIDEO

UNCLAS GUAYAQUIL 1265

E.O. 11652: N/A

TAGS: CGEN, OCON

SUBJ: 1977 CONSULAR CONFERENCE

REF: STATE 165068

1. CONGEN PLEASED TO LEARN OF MONTEVIDEO CONSULAR CONFERENCE
SEPTEMBER 12 THROUGH 16, AND PLANS TO SEND REP
TO BE NAMED SHORTLY.

2. IN AREA OF IMMIGRANT VISAS, POST SUGGESTS FOL
SUBJECTS BE DISCUSSED:

A. FRAUD INVESTIGATION AND ROLE OF LOCAL FSL
INVESTIGATOR.

B. GENERAL ROLE OF IMMIGRATION LAWYERS, ESPECIALLY
IN CASES OF APPLICANTS WHO HAVE OVERSTAYED IN U.S.,
AND ARE RETURNING ABROAD SOLELY TO APPLY FOR IV. AS
PART OF THIS TOPIC, POST SUGGESTS DISCUSSION OF
ACQUISITION OF JOB OFFERS OF QUESTIONABLE VALIDITY BY
IMMIGRATION ATTORNEYS AS MECHANISM TO OVERCOME
212(A) 15 BY APPLICANTS WHO HAVE PREVIOUS HISTORY OF
WEAK FINANCIAL PERFORMANCE WHILE IN U.S.

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C. EXPERIENCE OF FOREIGN SERVICE POSTS IN TRYING TO
COPE WITH INCREASED WORKLOAD DEMANDS CREATED BY
IMPACT OF 1976 AMENDMENTS TO INA.

D. PROCESSING OF IV CASES FROM BEGINNING TO END AT
VARIOUS POSTS, INCLUDING NITTY-GRITTY ASPECTS, TO TRY
TO DETERMINE WHAT STREAMLINING INNOVATIONS MAY HAVE

BEEN DEVELOPED. RELATED TO THIS TOPIC, DISCUSSION OF HOW POSTS PROVIDE INFO TO PROSPECTIVE APPLICANTS WHO PRESENT THEMSELVES TO INQUIRE ABOUT THEIR CASES.

E. POVERTY GUIDELINES FOR DETERMINING WHETHER IV APPLICANTS WILL BECOME PUBLIC CHARGES IN U.S. SHOULDN'T REALISTIC COST OF RELOCATING AND MAINTAINING IMMIGRANT FAMILIES IN U.S. BE SUBSTANTIALLY HIGHER THAN LISTED IN THE GUIDELINES?

F. THIRD AND SIXTH PREFERENCE APPLICANTS, ESPECIALLY MEDICAL DOCTORS, UNDER NEW LAW.

G. CHILEAN REFUGEE PROGRAM AND HOW IT AFFECTS OTHER LATIN AMERICAN POSTS. WHAT CRITERIA ARE BEING USED FOR APPLICANTS OUTSIDE OF CHILE?

H. ADULT APPLICANTS WHO HAVE QUALIFIED UNDER SECOND PREFERENCE AS UNMARRIED CHILDREN OF LEGAL RESIDENT ALIENS, AND POSSIBILITY OF PROPOSING LEGISLATION TO REMOVE THIS LOOPHOLE WHICH POSES SERIOUS VERIFICATION PROBLEMS AT THIS, AND WE WOULD SUSPECT OTHER, POSTS WHICH EXPERIENCE HIGH INCIDENCE OF FRAUD.

I. DISCUSSION OF RATIONALE BEHIND PROPOSED AMNESTY FOR UNDOCUMENTED ALIENS IN U.S.
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3. IN INS AREA:

A. WHAT CAN BE DONE TO ENCOURAGE MORE ADJUSTMENTS OF STATUS BY APPLICANTS IN U.S. RATHER THAN APPLYING FOR IV'S AT FOREIGN SERVICE POSTS ABROAD?

B. ABILITY OF INS TO CARRY OUT INVESTIGATIONS REQUESTED BY FOREIGN SERVICE POSTS, CONSIDERING THE SERVICE'S LIMITED STAFF.

C. WHY INS CONSISTENTLY APPROVES PETITIONS BY RESIDENT ALIENS SUBJECT TO DEPORTATION UNDER 241 (C) (1).

D. POSSIBILITY OF CHANGING REGULATIONS TO ALLOW FOREIGN SERVICE POSTS TO CONDUCT POST WAIVERS IN NON 212(A) (27)-(29) NIV INELIGIBILITY CASES WITHOUT PRIOR CLEARANCE FROM INS.

4. IN NON-IMMIGRANT VISAS:

A. COMPUTER VLOS HOOKUP FOR MORE POSTS IN ARA.

B. DISCUSSION OF POSSIBILITY OF SIGNIFICANTLY MODIFY-
ING 212(A) (28) FOR NIV CASES TO APPLY ONLY TO ACTIVE
COMMUNISTS, THUS ELIMINATING INELIGIBILITY IN CASES
WHERE, FOR EXAMPLE, APPLICANT WAS AFFILIATED OR
MEMBER OF COMMUNIST ORGANIZATION IN HIS YOUTH, BUT
IS NOW PROMINENT BUSINESSMAN OR COMMUNITY LEADER.
CONSTITUTIONALITY OF THIS SECTION OF LAW. ALSO,
POSSIBILITY OF LIBERALIZING CRITERIA FOR RELIEF UNDER
212(A) (28) (I) (II) IN IV AS WELL AS NIV CASES.

5. IN PROTECTION AND WELFARE:

A. THE ROLE OF FOREIGN SERVICE POSTS IN INVESTIGA-
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TIONS OF W/W OF MISSING AMERICANS.

B. SUBSISTENCE FOR INDIGENT USC PRISONERS INCARCERATED
IN PRISONS WHICH MAY NOT OFFER MEALS WHICH MEET MINIMUM
DIETARY NEEDS.

6. IN DEATH AND ESTATES:

A. POSSIBILITY OF ELIMINATING ROUTINE REQUIREMENT TO
INVENTORY FORMALLY ALL ARTICLES IN PERSONAL EFFECTS OF
DECEASED WHEN NOK NOT PRESENT. INSTEAD MAKE PROVISION
WHEREBY SPECIFIC ITEMS OF CLOTHING NEED NOT BE INVENTORIED
UNLESS NOK SO REQUESTS AND PAYS EXTRE FEE TO REFLECT TIME
INVOLVED FOR THREE FOREIGN SERVICE EMPLOYEES TO CONDUCT
INVENTORY. CONSIDERING OTHER DEMANDS ON LIMITED CONSULAR
RESOURCES, HOW ESSENTIAL IS IT TO OCCUPY THREE EMPLOYEES'
TIME COUNTING SOCKS AND LINGERIE, AND WOULD MAJORITY OF
NOK REALLY EXPECT US TO DO THIS? (AFTER DECADES OF THIS
PRACTICE, CAN'T WE ADOPT A LESS DETAILED PROCEDURE?)

7. POST WILL CABLE NAME/ITINERARY OF ITS REP
BY AUGUST 15.
BISHTON

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NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
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Concepts: n/a
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Disposition History: n/a
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Enclosure: n/a
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Errors: N/A
Expiration:
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Handling Restrictions: n/a
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Secure: OPEN
Status: NATIVE
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TAGS: CGEN, OCON
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